

HEARING DATE AND TIME
February 19, 2019 at 2:00PM

SUMMONS FOR UNLAWFUL DETAINER
(CIVIL CLAIM FOR EVICTION)
ARLINGTON COUNTY
CITY OR COUNTY
1425 North Courthouse Road, Arlington, VA 22201
STREET ADDRESS OF COURT
TO ANY AUTHORIZED OFFICER: Summon the Defendant(s) as provided below:
TO THE DEFENDANT(S): You are commanded to appear before this Court on
February 19, 2019 at 2:00PM
RETURN DATE AND TIME
to answer this civil claim.

DATE ISSUED [] CLERK [] DEPUTY CLERK [] MAGISTRATE

CLAIM AND AFFIDAVIT: That Defendant(s) unlawfully detains and withholds from Plaintiff(s):
1550 Wilson Blvd # 500, Arlington VA 22209

and that the Defendant should be removed from possession based on the following:

[x] unpaid rent []
and further that rent is due and owing and damages have been incurred as follows:
\$ 429338.32 rent due for 10/01/2018 - 01/31/2019 and \$ 27908.88 late fee
and \$ 139544.3 damages for Future Rent with interest
and \$ 58.00 costs and \$ reasonable civil recovery and attorney's fees.
[x] Plaintiff requests judgment for all amounts due as of the date of the hearing.
[x] This summons is filed to terminate a tenancy pursuant to the Virginia Residential Landlord and Tenant
Act, § 55-243.1(C), of the Code of Virginia.
All required notices have been given.

My commission expires: 11 day of January, 20 19
NOTARY REGISTRATION NO. [] CLERK [] DEPUTY CLERK [] MAGISTRATE [x] NOTARY PUBLIC
[] City [x] County of

CAUTION: DISPOSITION
[] I, the Plaintiff(s), recover against [] named DEFENDANT(S).
[] possession of the premises described above pursuant to § 8.01-128.
[] A hearing shall be held on to establish final rent and damages.
DATE AND TIME
[] Immediate writ of possession
[] ordered pursuant to Va. Code § 8.01-129 upon request of Plaintiff.
[] granted pursuant to Va. Code § 55-243(C) or § 55-248.34:1(C).
DEFENDANT(S) PRESENT? [] YES [] NO

DATE DATE JUDGE
[] Rent, in the sum of \$ and \$ damages with interest and \$ late fee
and \$ costs and \$ civil recovery and \$ attorney's fees.
HEAD EXEMPTION WAIVED? [] YES [] NO [] CANNOT BE DEMANDED
MENT FOR [] NAMED DEFENDANT(S) []
SUIT [] DISMISSED DEFENDANT(S) PRESENT? [] YES [] NO

EXHIBIT

CASE NO.

1550 and 1560 Wilson Co, LLC/1550 Wilson Blvd.
PLAINTIFF(S) NAME(S) (LAST, FIRST, MIDDLE)
c/o Empire Leasing Inc., 1627 K Street, NW

Washington, DC 20006

TELEPHONE NUMBER

ARGOSY EDUCATION GROUP INC.

DEFENDANT(S) NAME(S) (LAST, FIRST, MIDDLE)

1550 Wilson Blvd # 500

Arlington, VA 22209

TELEPHONE NUMBER

TO DEFENDANT: You are not required to appear; however, if you fail to appear, judgment may be entered against you. See the additional notice on the reverse about requesting a change of trial location and your right to prevent this unlawful detainer action through payment of amounts owed.

[] To dispute this case, you must appear on the return date to try this case

[x] To dispute this case, you must appear on the return date for the judge to set another date for trial.

If you fail to appear and a default judgment is entered against you, a writ of possession may be issued immediately for possession of the premises.

Bill of Particulars ordered

DUE DATE

Grounds of Defense ordered

DUE DATE

ATTORNEY FOR PLAINTIFF(S)

KANE & ASSOCIATES, CHARTERED / KEVIN I. KANE 44219

110 N. Washington Street, #500

Rockville, MD 20850 (301) 961-5000

TELEPHONE NUMBER

ATTORNEY FOR DEFENDANT(S)

TELEPHONE NUMBER

DISABILITY ACCOMMODATIONS for loss of vision, hearing, mobility, etc. Contact the court ahead of time.

[] Redemption tender presented; continued to:

HEARING DATE AND TIME

[] Defendant must pay:

\$

RENT OWED into the court to be held in escrow by

DATE

and any rents coming due prior to the next hearing date must also be paid into the court.

JUDGE'S INITIALS

MONEY JUDGMENT PAID OR SATISFIED PURSUANT TO ATTACHED NOTICE OF SATISFACTION

DATE

CLERK

To the Defendant(s):

- (1) The preferred location for an Unlawful Detainer action is the city or county where the property is located. If the plaintiff has filed this case in a city or county other than where the property you rent is located, you may object to the location. The court may transfer the case to the preferred location, if the court agrees with you. The court may award costs and attorney's fees to you if the court agrees with your objection. To object to the location of the suit, you must do the following:
- Prepare a written request which contains (a) this court's name, (b) the case number and the "return date" as shown on the other side of this form in the left column under the words "TO THE DEFENDANT(S)," (c) Plaintiff(s) name(s) and your name(s), (d) "I move to object to venue of this case in this court because" and state the reasons for your objection and also state in which city or county the case should be tried, and (e) your signature and mailing address.
 - File the written request in the clerk's office before the trial date (use the mail at your own risk) or give it to the judge when your case is called on the return date. Also send or deliver a copy to the plaintiff.
 - If you mail your written request to the court, the clerk will notify you of the judge's decision.

- (2) If you pay the landlord or his attorney or pay into court all (i) rent due and owing as of the court date as contracted for in the rental agreement, (ii) other charges and fees as contracted for in the rental agreement, (iii) late charges contracted for in the rental agreement, (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, and (v) costs of the proceeding as provided by law, this unlawful detainer action will be dismissed pursuant to Virginia Code § 55-243 or 55-248.34.1. You may exercise this right only once every 12 months that you continue to live in the same place, regardless of the term of the rental agreement or any renewal term.
- (3) You may tell your landlord that you want another person to receive a copy of this summons, and the landlord shall send a copy to that person. However, the person you identify will not, by receiving a copy of the summons, become a party to the case or be able to challenge the landlord's actions on your behalf. Virginia Code § 55-248.9:1

I certify that I mailed a copy of this document to the defendants named therein at the address show therein on

01/11/2019

DATE

☐ PLAINTIFF ☒ PLAINTIFF'S ATTORNEY ☐ PLAINTIFF'S AGENT

Fi. Fa. issued on

Interrogatories issued on

Garnishment issued on

RETURNS: Each defendant was served according to law, as indicated below, unless not found.

Name ARGOSY EDUCATION GROUP INC.	
Address 1550 Wilson Blvd # 500, Arlington VA 22209	
<input type="checkbox"/> Personal Service	Tel. No.
<input type="checkbox"/> Being unable to make personal service, a copy was delivered in the following manner: <input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> Served on the Secretary of the Commonwealth	
<input type="checkbox"/> Not found	SERVING OFFICER
DATE	for
Name	
Address	
<input type="checkbox"/> Personal Service	Tel. No.
<input type="checkbox"/> Being unable to make personal service, a copy was delivered in the following manner: <input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> Served on the Secretary of the Commonwealth	
<input type="checkbox"/> Not found	SERVING OFFICER
DATE	for



Notary Public

Washington, District of Columbia
Subscribed and sworn to before me, in my presence
this day of JANUARY, 2019
By FRANK GITHLESON, Notary Public
My Commission Expires 12/14/2022
Ried R. Zulaaga
NOTARY PUBLIC
Washington, District of Columbia
My Commission Expires 12/14/2022

Signature: *Frank Githleson*
Printed Name: FRANK GITHLESON

The undersigned, being duly sworn, upon information and belief, states and affirms the following:

1. Plaintiff is the owner / management agent of the commercial property listed on the Summons for Unlawful Detainer.
2. Defendant is the tenant of said property subject to a commercial lease agreement, a true and accurate copy of which is included herewith.
3. Defendant breached the commercial lease by failing to timely pay rent, late fees and/or utilities.
4. Defendant's commercial lease with Plaintiff provides for a waiver of any notice prior to filing suit in the event of a monetary breach.
5. Through the initial return, Defendant owes the following amounts:
 - a. Rent: \$ 596791.57
 - b. Late Fees: \$ 27908.88
6. Plaintiff also claims any and all amounts coming due through final hearing on this case.
7. Upon information and belief, Defendant is not in the active service of the U.S. Military. The above statement is based upon the following facts: Defendant is a corporation.
8. The Plaintiff has engaged legal counsel to prosecute this case for the Plaintiff and has agreed to pay the attorney a reasonable fee for his services.

AFFIDAVIT

Defendant.

ARGOSY EDUCATION GROUP INC.

Case No.

v.

Plaintiff,

1550 and 1560 Wilson Co, LLC/1550 Wilson Blvd.

IN THE GENERAL DISTRICT COURT OF ARLINGTON COUNTY, VIRGINIA